

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

Eric Rayonn Rowls,	)	C/A No.: 0:20-cv-0979 DCN
	)	
Petitioner,	)	
	)	
vs.	)	<b><u>ORDER</u></b>
	)	
W.E. Mackelburg, Warden,	)	
	)	
Respondent.	)	
	)	

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On April 27, 2020, the Magistrate Judge issued a Report and Recommendation in the above-referenced case, recommending that the case be dismissed without prejudice and without requiring respondent to file a return. Petitioner filed a total of seven motions for extension of time to submit objections to the Report and Recommendation, as he had been relocated to another facility and his property had not yet been returned to him. The last motion for extension of time was filed January 21, 2021, and the court granted the extension through April 1, 2021. On April 6, 2021, this court issued an Order adopting the Magistrate Judge's Report and Recommendation, noting that no objections had been submitted and no motion for extension of time had been filed. Judgment was entered in this case by the Clerk of Court on April 7, 2021.

On April 2, 2021, the court received Mr. Rowls's complaint for a new case. Within this complaint, he requested an extension of time to file objections to the Report and Recommendation. Now therefore,

**IT IS HEREWITHE ORDERED** that this court's Order filed on April 6, 2021, dismissing the case without prejudice and without requiring respondent to file a return, and the judgment filed on April 7, 2021, are herewith **VACATED**, and this matter is herewith reopened so that the

court may consider petitioner's objections to the Report and Recommendation.

**Objections to the Report and Recommendation are due no later than September 1, 2021.**

**AND IT IS SO ORDERED.**



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David C. Norton  
United States District Judge

June 1, 2021  
Charleston, South Carolina